



The State of New Hampshire  
**Department of Environmental Services**

**Clark B. Freise, Assistant Commissioner**



January 25, 2017

The Honorable Chris Christensen  
Chair, Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, NH 03301

**RE: HB486 *"An Act relative to the protection of wetlands"***

Dear Chair Christensen and Members of the Committee:

Thank you for the opportunity to testify on HB486. This bill would establish a regulatory buffer around certain wetlands within the state. The New Hampshire Department of Environmental Services (NHDES) supports study of the potential implementation of such statewide standards, but has concerns about this bill.

First, NHDES feels significant stakeholder work is needed to address existing resource limitations, conflicts with existing town buffer ordinances, redevelopment upgrades, clarification of minimum impact exemptions and statewide regional interests. The New Hampshire Association of Natural Resource Scientists (NHANRS) has been working on a technical report relative to the science of wetland buffers. NHDES participated in the development of the draft NHANRS report, and the current draft does summarize scientific literature, but does not address the significant and practical challenges of program implementation. The NHANRS report has not yet been finalized, and it would seem prudent to await that report before considering the study and establishment of state-wide buffers.

Second, if this bill were to be put in place it would require significant additional staff to regulate and enforce activities in the buffer areas. NHDES currently processes about 2,200 permit applications and notifications a year. Given the additional areas to be regulated, and the complexities of a variable width buffer, it is conceivable that the number of applications and complaints, likewise the number of staff needed to

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perform the additional work could double. The bill as written makes no provisions for funding the additional staff.

Thank you again for the opportunity to comment on HB486. Should you have further questions or need additional information, please feel free to contact either Rene Pelletier, Assistant Water Division Director ([rene.pelletier@des.nh.gov](mailto:rene.pelletier@des.nh.gov) 271-2951) or Collis Adams, Wetlands Bureau Administrator ([collis.adams@des.nh.gov](mailto:collis.adams@des.nh.gov) 271-4054).

Sincerely,



Clark Freise  
Assistant Commissioner

cc: Sponsors of HB 486: Representatives Spang, Beaulieu, Berch, Grenier, Oxenham, Burton, Messemer, Smith and Senators Feltes, Fuller Clark, Watters